

**Testimony of Congressman Kevin Brady
before the House Committee on Government Reform**

“Cutting Out the Waste: An Overview of H.R. 5766, the Government Efficiency Act, and H.R. 3282, The Abolishment of Obsolete Agencies and Federal Sunset Act of 2005.”

Chairman Davis and Ranking Member Waxman, thank you for the opportunity to come before the Committee to discuss government efficiency, specifically the benefits of Sunset and my legislation, H.R. 3282.

This is such a critical issue. The sun, the moon and the stars have aligned in a way that if we take advantage, we really can make some systemic changes. I have become convinced that if Congress were a manufacturing plant, we would manufacture spending. That is what we are good at doing. That is what we are designed to do. However, If we want to manufacture savings and efficiency, we have to retool the plant. You can't build minivans and just wish they would turn into sports cars. It simply doesn't happen. We need a proven, thoughtful, truly bipartisan approach to efficiency.

The problem is that once we create a federal program, it never goes away. As President Ronald Reagan once observed, “The closest thing to eternal life we'll ever see on Earth is a government program.” He's right. Once they are created, not only do they not go away, but Congress clones them. On average, every federal program duplicates five others. We have 342 different economic development programs, over 500 different urban aid programs, 90 homelessness assistance programs and 50 different programs over 8 different agencies for helping with early development. At a time of war, with large deficits, we simply cannot afford this inefficiency.

Before we add another program, why not go back and eliminate the duplication? To do this, we need a proven way to approach the task. One where there are no sacred cows and where it is done in a way that every agency is held accountable to taxpayers and to Congress. The approach adopted in my legislation is creating a Federal Sunset Commission. Sunset is a thoughtful approach that has been used in 24 states over more than three decades with varying degrees of success.

In my home state of Texas, since the inception of Sunset in 1978, we have eliminated 52 state agencies, consolidated another 12 agencies and saved nearly \$784 million. We have saved the taxpayers \$36 for every \$1 that we have invested in Sunset. Texas has done a pretty good job. I believe that by using the same thoughtful bipartisan approach we can produce tremendous results for taxpayers, while improving our delivery of important services.

After reviewing the examples of other states and our own experience in Texas, I found that Sunset has three key benefits. One, obviously, is cost cutting and

savings. In H.R. 3282, we create a 12 member bipartisan Federal Agency Sunset Commission. Half of the members are appointed by the House and half by the Senate. Half are recommended by the majority and half by the minority. Of the 12 members, four of them are also required to be public members.

Then, we set an expiration date on every federal agency where it goes out of existence unless it can prove its value to Congress and the taxpayer. Not its value 80 years ago when it was created or even 40 years ago, but agencies have to answer the question, "Do they deserve our precious tax dollars today?" What I have observed is that by putting an expiration date on each agency and performing at least two rounds of Sunset, the first round begins to hold agencies accountable. By asking questions like, "How are you spending the money? Are you following legislative intent? How well do you enforce the laws that we pass?," and by giving taxpayers a chance to comment on just how responsive federal agencies are to the customers they are supposed to serve, what I have seen is that the first round of Sunset tends to pick the low hanging fruit of cost savings and streamlining.

States that have gone to at least a second round of Sunset create the more important result of accountability on a permanent basis. Agencies adhere more closely to legislative intent, which I see as the second benefit. If agencies know they have to come back to Congress on a regular basis, and not in some empty accountability like reauthorization, but a real accountability like Sunset, you see them staying much closer to the legislative intent of Congress.

From my stand point as a legislator, the third benefit is the increased responsiveness of agencies that are scheduled to be reviewed under Sunset. When I was in the Texas Legislature, for the two years before any agency was scheduled to be Sunset, you would be surprised how quickly phone calls were returned, how well your letters on behalf of your constituents were answered and how the principle of customer service was introduced into government bureaucracies. Government agencies are there to serve taxpayers, not the other way around. In the years immediately before an agency's Sunset date, they began showing it. I want that to be a permanent part of every federal agency and for taxpayers to have the opportunity to weigh-in on whether an agency deserves to continue or not.

This Congress, my legislation has bipartisan support with over 100 cosponsors. Last Congress, the day the House took up budget reform it passed with 272 votes. I am confident that this legislation can move forward.

Mr. Chairman, I will close with this thought. If an agency cannot justify its existence to the taxpayers it serves, then it ought not exist. Sunset is a tool. We have to commit to it to be successful. We have to pick it up and wheel it the right way to make it work. Each agency must justify its existence. What we are really saying for the first time to the federal government is put up or shut up, produce or

leave. We will invest our precious tax dollars in the programs that work and not a dime for those that do not.

I think we are at that point in time. We are at war. We are running heavy deficits and we simply cannot afford the wasteful spending that has gone on for so long.

I am really looking forward to moving on this issue. I have been reviewing the various other proposals on government accountability and efficiency before this Congress, including Mr. Tiahrt's. I am absolutely confident that we can put together a real tool with real teeth. The past is now.